

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

IMPROVED SET TOP BOX AND METHODS FOR USING THE SAME

the specification of which (check one)

X is attached hereto.

\_\_\_\_\_ was filed on \_\_\_\_\_ as  
Application Serial No. \_\_\_\_\_ and  
was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)	Priority Claimed
_____(NONE)_____ (Number)	____YES____NO
_____ (Country)	_____ (Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

_____(NONE)_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (Patented, Pending, Abandoned)
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I hereby declare that all statements made herein of my own knowledge are true and that all

statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

(List name and registration number)

Matthew J. Bussan - 33,614	Christopher A. Hughes - 26,914
Owen J. Gamon - 36,143	Edward A. Pennington - 32,588
Pryor A. Garnett - 32,136	Joseph C. Redmond, Jr. - 18,753
Steven W. Roth - 34,712	Valerie G. Dugan - 36,125
James R. Nock - 42,937	Brian M. Dugan - 41,720
John E. Hoel - 26,279	

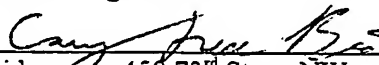
Send Correspondence to: Valerie G. Dugan  
Dugan & Dugan, L.L.P.  
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Tarrytown, NY 10591

Direct Telephone Calls to: Valerie G. Dugan  
at (914) 332-9081

Full name of sole or first Inventor: CARY LEE BATES

Inventor's signature

Date

  
Residence: 450 73<sup>rd</sup> Street NW  
Rochester, MN 55901

02-17-00

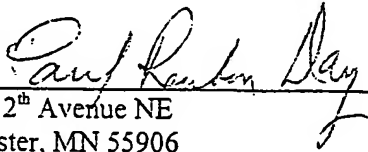
Citizenship: United States of America

Post Office Address  
Same as above

Full name of second Inventor: PAUL REUBEN DAY

Inventor's signature

Date

  
Residence: 1428 12<sup>th</sup> Avenue NE  
Rochester, MN 55906

2-14-2000

Citizenship: United States of America

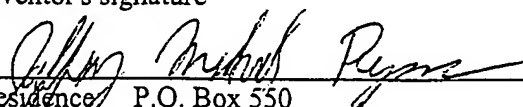
Post Office Address  
Same as above

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Full name of third Inventor: JEFFREY MICHAEL RYAN

Inventor's signature

Date

  
Residence: P.O. Box 550  
Byron, MN 55930

2-14-00

Citizenship: United States of America

Post Office Address

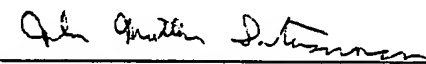
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Full name of fourth Inventor: JOHN MATTHEW SANTOSUOSSO

Inventor's signature

Date

  
Residence: 1402 30<sup>th</sup> Street N.W.  
Rochester, MN 55901

2-14-00

Citizenship: United States of America

Post Office Address

Same as above

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X This declaration ends with this page.

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

CARY LEE BATES  
PAUL REUBEN DAY  
JEFFREY MICHAEL RYAN  
JOHN MATTHEW SANTOSUOSSO

## EXECUTION DATE

2/14/00  
2/14/00  
2/14/00  
2/14/00

Additional names of conveying party(ies) attached?

☐ yes ☒ no

## 3. Nature of Conveyance

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date:

## 2. Name and address of receiving party(ies):

Name: International Business Machines Corporation

Internal Address:

Street Address: New Orchard RoadCity ArmonkState New York Zip 10504Additional name(s) & address(es) attached? ☐ yes ☒ no

## 4. Application number(s) or patent number(s):

Title: **IMPROVED SET TOP BOX AND METHODS FOR USING THE SAME**If this document is being filed together with a new application, the execution date of the application is SEE ABOVE

A. Patent Application No(s).

B. Patent No(s).

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Valerie G. Dugan  
Dugan & Dugan, L.L.P.  
18 John Street  
Tarrytown, New York 10591

## CERTIFICATE OF MAILING UNDER 37 CFR 1.10

I hereby certify that, on the date shown below, this correspondence is being deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 as "Express Mail Post Office to Addressee"

Mailing Label No. EJ896186796US

on February 15, 2000

BRIAN M. DUGAN

Name of person mailing paper

Signature Brian M. Dugan2/15/00  
Date6. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41): \$ 40.00☐ Enclosed☒ Authorized to be charged to deposit account☒ Total fee due☒ Any deficiencies in the enclosed fees

## 8. IBM Corporate Deposit account number:

09-0465

DO NOT USE THIS SPACE

## 9. Statement and signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Brian M. Dugan  
Registration 41,720  
Tel.: (914) 332-9081Signature Brian M. Dugan2/15/00  
Date

Total number of pages including cover sheet, attachments, and document: 3

# A S S I G N M E N T

Whereas, we

(1),	Cary Lee Bates, County of Olmsted,	City of Rochester, and State of Minnesota,
(2),	Paul Reuben Day, County of Olmsted,	City of Rochester, and State of Minnesota,
(3),	Jeffrey Michael Ryan, County of Olmsted,	City of Byron, and State of Minnesota,
(4),	John Matthew Santosuosso County of Olmsted,	City of Rochester, and State of Minnesota,

have invented certain improvements in

## IMPROVED SET TOP BOX AND METHODS FOR USING THE SAME

and have executed, respectively, a United States patent application therefor on

Dates

Inventors (1) February 14 , 2000, (2) February 14 , 2000, (3) February 14 , 2000,

Signed

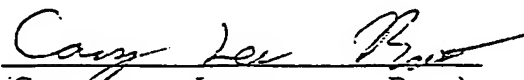
Declaration (4) February 14 , 2000

And whereas, INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation of New York, having a place of business at Armonk, New York 10504, (hereinafter called IBM), desires to acquire the entire right, title and interest in the said application and invention, and to any United States and foreign patents to be obtained therefor;

Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, we the above named hereby sell, assign, and transfer to IBM, its successors and assigns, the entire right, title and interest in the said application and invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of said United States application, and we request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth in said application to IBM, its successors and assigns; and we hereby agree that IBM may apply for foreign Letters Patent on said invention and we will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by IBM.

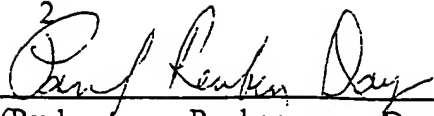
Signed

Inventor at Rochester, MN  
(1) on 2-14 , 2000.

  
(Cary Lee Bates)  
First Name Middle Name Last Name


Inventor  
Signature

Inventor  
(2) at Rochester, MN  
on 2-14, 2000,

  
(Paul Reuben Day)  
First Name Middle Name Last Name

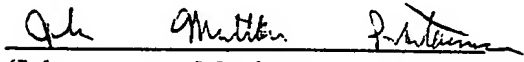
Inventor  
Signature

Inventor  
(3) at Rochester, MN  
on 2-14, 2000,

  
(Jeffrey Michael Ryan)  
First Name Middle Name Last Name

Inventor  
Signature

Inventor  
(4) at Rochester, MN  
on 2-14, 2000,

  
(John Matthew Santosuosso)  
First Name Middle Name Last Name

Inventor  
Signature